

pute. The city was interested in it. Upon it turned the question of the limits of the power of the Council to issue city bonds. Therefore, whether the school district was a distinct municipality or a part of the city organization, it was proper for the Council to seek for a legal opinion, and it was proper for the attorney to give one.

The City Attorney may be wrong. Several lawyers are emphatic in their dissent from his views. We regard the question as still open. A great deal can be said on both sides. The City Attorney is not a court, and it will take a court of competent jurisdiction to decide this momentous question. The former City Attorney gave learned opinions which the City Council rejected. So this opinion of the present attorney is by no means the end of controversy.

The other questions raised by our esteemed correspondent are worthy the consideration of all the taxpayers. They should weigh well the consequences of assuming the heavy burden proposed by the School Board, in view of the further burdens which may and will be imposed if the City Attorney's views of the law prove to be correct.

The exclusion of resident taxpayers whose names are not on the registry lists from voting on a matter that relates to their property, we regard as in contravention of the law which makes the issuance of the bonds possible, and from which the school board derive their powers. It is not only unjust, it is in violation of the law which created the school district and the offices therein.

We fear that the doubts which hang over the question will hinder the sale of the school bonds, if voted for, and also of such additional bonds as the city may attempt to float. And until the powers of the two bodies in this connection are fully determined, confusion will prevail and the cause of education will be jeopardized.

We are not opposed to raising the necessary funds for school purposes in this city. We are not opposed to the issuance of bonds to procure those funds. But we desire to have the matter placed on a secure basis, and taxation so restricted as not to become a burden too grievous to be borne. Therefore we ask the taxpayers to consider what they are asked to do, and the School Board to make sure they are proceeding on solid ground.

The question raised by Mr. Johnson, in regard to the exclusion of women holding property from voting on a question in which they are financially interested, is one that ought to have due weight. But as the laws of

Congress stand it is out of the power of the local Legislature to right the wrong complained of, and we do not think that should stand in the way of voting for the school bonds. On the main question we will have something further to say at another time.

WHERE JUDGE ZANE STANDS.

WE observe that the mention of the name of Chief Justice Zane by the Salt Lake *Times* in connection with the present political situation has caused a somewhat heated journalistic discussion. The "Liberal" organ objects to the introduction of the name of the learned judge into the question, on the ground that he is not a politician. This position, taken as it is by a journal which is in the habit of thrusting the views of citizens upon every kind of question before the public, providing the particular opinions are cut according to its own bias, has a smack of absurdity about it. The secret of the dissatisfaction of the "Liberal" organ with the voicing of the view taken by Judge Zane on the subject causing so much agitation in the community, is that the opinion of his Honor is the opposite of that expressed by that paper. If the Chief Justice favored the fanatical attitude of the organ of a fading cause, its columns would, doubtless, long since have announced the fact.

We have not inquired of Judge Zane what his views are upon the absorbing political question of the hour. It would hardly be necessary for any one to do so. To imagine that he favored the maintenance of the old political lines and conditions would be to presume that he had departed from pursuing what he has evinced in his career as a publicist as his leading object—to aid in producing a situation here in harmony with the nation at large. For him to take a stand as an obstructionist, even in theory, would not be in keeping with the persistency with which he usually follows up what appears to his mind to be proper. The people of all classes in Utah have learned to view Judge Zane with no small degree of respect. The reason is obvious; the community, as a rule, has come to believe he is honest. That quality covers a multitude of errors and extremes, even in the eyes of good people who may have suffered from them.

Our speaking thus of Judge Zane may be considered a material change on our part. It may be partly so regarded, but not altogether. We have never receded from the position that in the earlier portion of his career the Chief Justice was animated by

an unwarranted severity, which led him to extremes that were not natural to him. The antagonism aroused in those who had good reason to object to such a course was softened by the fact that there was perceptible in his character a tendency which tinted and influenced his official career throughout—his conception of his duty to support the government against everything which he deemed not conformable to it. This trait probably led him to be partially blinded to conditions which demanded more consideration than he awarded them. But the tendency of itself, when kept within conservative bounds, is a most excellent one. Without it there is no patriotism.

Fortunately in the case of the learned gentleman now referred to, the exercise of this disposition was not contracted to one phase of the government. When local governmental institutions have been unjustly assailed by "Liberal" agitators and disruptionists, it has been his rule to sustain the former, when law and justice demanded. Some of his opinions upon questions of this character have been of great value to the community.

The official dealings of Judge Zane with the "Mormon" people have been remarkably extensive. No federal official, so far as we know, has ever had more ample opportunities for discovering the true character of the Latter-day Saints than he. And we have good reason to believe that his experience led to his making a discovery—that the people forming the great majority of the population of Utah are honest. This being the case, the course of events has naturally led to what might be regarded as a mutual recognition of a state of facts on both sides that was at first not clearly apparent on the surface. Instances have come to our notice of the Judge having rebuked anti-"Mormon" rabidists who have declaimed against the "Mormon" people, when he might have allowed the unjust animadversions to pass unchecked. This has been to his credit. Had he been silent on such occasions he would doubtless have better pleased some people who are presumably his friends.

It has been publicly stated that the reason why Judge Zane does not take an active and practical part in forwarding the cause which aims at the obliteration of the old political distinctions and asperities is that his official position stands in the way. He deems that it would be out of harmony with his calling to mix up actively in political agitations. Every thoughtful citizen will agree with him on this point. There is wisdom and consist-